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# California State Senate



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Tab 19

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April 6, 2010

California Transportation Commission  
1120 N Street Room 2221  
Sacramento, CA 95814

Dear Chair Earp and Commissioners:

I have been asked by several interested parties to clarify the intent SB 2X 4 (Chapter 2, 2009) as it pertains to the ability of local agencies to utilize the authority in the Design-Build Demonstration Program. As you are aware, the bill authorized 15 projects to be completed under the program. Ten of these projects are to be delivered by the California Department of Transportation, while five are reserved for projects completed by local transportation agencies.

Guidelines previously adopted by the California Transportation Commission (Policy Guidance – Resolution G-09-09) would allow a local transportation agency to utilize design-build on a state highway project, as long as the local agency acts as the lead agency. It is my understanding that since those guidelines were adopted, there has been a discussion regarding whether they are consistent with the intent of SB 2X 4. Specifically, I have heard that some parties interpret the legislation as prohibiting local agencies from using design-build for projects on the state highway system.

The intent of SB 2X 4 was to help stimulate the economy and create jobs, while at the same time deliver much needed state and local transportation projects. To that end, we intentionally included language that we believe is permissive and would, in fact, allow projects on the state highway system that are funded and completed by local agencies to utilize the design-build method of procurement.

The State Route 91 Corridor Improvement Project which the Commission will consider during its next meeting is exactly the type of job-producing project that I envisioned when authoring SB 2X 4. I respectfully urge the Commission to approve the Riverside County Transportation Commission's request to utilize the design-build method of procurement on this critical project.

Sincerely,

A handwritten signature in blue ink that reads "Dave Cogdill".

Dave Cogdill  
14<sup>th</sup> Senate District